

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MOTIV GROUP, INC.,

*Plaintiff,*

v.

CONTINENTAL CASUALTY COMPANY,

*Defendant.*

Civil Action No. 3:20-cv-08206-BRM-DEA

**CONSENT ORDER TO TRANSFER VENUE**

**THIS MATTER** having come before the Court on the Motion of Defendant Continental Casualty Company (“Defendant”) for an Order dismissing the Complaint pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, and Plaintiff Motiv Group, Inc. (“Plaintiff”) having now determined that the U.S. District Court for the District of New Jersey lacks jurisdiction over Defendant such that the parties now consent to a transfer of venue to the U.S. District Court for the Central District of California<sup>1</sup> and stipulate to the briefing schedule set forth below, and the Court having found that good cause exists,

**IT IS** on this 9th day of October, 2020,

**ORDERED** that this case is transferred to the U.S. District Court for the Central District of California; and it is further

**ORDERED** that Defendant’s Motion to Dismiss is hereby withdrawn; and it is further

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<sup>1</sup> Plaintiff believes this case, once transferred to the Central District of California, should be considered a “related case” under C.D. Cal. L.R. 83-1.3.1(b) to the case of *Kingray Inc. v. Farmers Grp., Inc.*, No. 5:20-cv-00963-JGB-SP, pending before District Judge Bernal in the Eastern Division of the Central District of California, in that both cases “call for determination of the same or substantially related or similar questions of law and fact.” Defendant does not believe that this is a “related case” to *Kingray* and further notes that Plaintiff is located in the Western Division of the Central District of California, not the Eastern Division.

**ORDERED** that Defendant is hereby granted 21 days from the date the case is opened in the US. District Court for the Central District of California to re-file its Motion to Dismiss; and it is further

**ORDERED** that Plaintiff's opposition to Defendant's motion, if any, shall be filed not later than 21 days after the motion is filed by Defendant; and it is further

**ORDERED** that Defendant's reply to the motion, if any, shall be filed not later than 21 days after the opposition to the motion is filed by Plaintiff.

  
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HON. BRIAN J. MARTINOTTI, U.S.D.J.

The undersigned hereby apply for and consent to the entry of this Order:

**For Plaintiff Motiv Group, Inc.:**

/s/ Lawrence E. Bathgate, II  
Lawrence E. Bathgate, II, Esq.  
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**For Defendant Continental Casualty Company:**

/s/ Craig R. Rygiel  
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